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ITT, Watergate, Vesco, Etc., Etc., Etc.

It is often said that this administration does business like every other administration; that the scandals cropping up all around us—in a degree and manner which make them nearly impossible to keep track of—are not unusual; that the Democrats, or the press, or the "elitists" are cooking all this up out of spite.

But if this were really so, it all ought to be easy enough for the administration to put to rest. There ought to be no need for the endless evasions and deceptions that have characterized its response to almost every charge that has been raised about the ITT affair or the wheat deal or the carpet deal or the dairy deal or the Vesco campaign contribution or the whole collection of allegations having to do with burglary and illegal bugging and political espionage and sabotage and finagling with campaign finances that come under the general heading of "Watergate." It ought not to be necessary to cling to a preposterous theory of executive privilege or to order the Acting Director of the FBI not to answer questions before a Senate committee considering his qualifications to take over the job permanently. For when this is happening the scandals themselves cease to be the entire issue and a second question presents itself. It has to do with public accountability and a willingness on the part of paid public officials to tell a straight and reasonably complete story about the way the people's government is conducting the people's business.

We bring all this up today in connection with the latest revelations having to do with ITT because that was supposed to be a dead issue, brought to a conclusion —or at least swept out of sight—by the end of last year's hearings on the confirmation of Richard Kleindienst to be Attorney General. When his confirmation was finally voted by the Senate last spring, the administration clearly thought the case should be closed. The government, we were told, had achieved the greatest single divestiture in history; the vast ITT conglomerate had been broken up, after a fashion, and nobody had proved that there was anything untoward about the way that this result was achieved or anything irregular about the role that Mr. Kleindienst or other high government officials had played in it.

Yet the ITT case refuses to go away. And there is good reason for this, when you consider the fresh evidence that has just been produced by a subcommittee in the House. For this evidence supports and enlarges upon what was strongly suspected from the start:

- That the particular nature of the resolution of the ITT anti-trust case was of crucial consequence to ITT;
- That the anti-trust division of the Justice Department had one view of how this should be accomplished and was prepared to take its case to the Supreme Court in hopes of winning a broad, new interpretation of the Clayton Act;
- That ITT was strongly opposed to this approach and fearful that the government's case would prevail;
- That ITT thereupon mounted a massive campaign at the highest levels of government to bring pressure upon Richard McLaren, who was in charge of anti-trust matters at the time, to settle the case out of court on terms more to ITT's liking;

And that this campaign succeeded despite the persistent denial of all concerned, including Mr. Kleindienst, that anything out of the way had taken place.

What we have now, are simply more details, admittedly not conclusive or entirely precise, of the manner and the extent of ITT's campaign. They are contained in 70 pages of memoranda prepared in some haste by officials of the Securities and Exchange Commission, and purporting to summarize 34 boxes of documents which were suddenly spirited out of the SEC and into the Justice Department in order to shield them from Congressional scrutiny. Leaving aside the question of why such extraordinary evasive action was necessary if there was nothing to hide, the memoranda offer valuable new insights into the way this case was handled. We had known that ITT officials had carried their campaign to at least three Cabinet members. The documents released by Chairman Staggers of the House Commerce Committee suggest that the Vice President of the United States was part of the process; that former Attorney General Mitchell discussed the matter with President Nixon, despite Mr. Mitchell's denial of ever having done so; and that ITT's campaign was also carried to Mr. Peter Peterson, who was on the White House staff at the time.

There are, it seems to us, a couple of things to be said about this. One, of course, is that the House Commerce Committee should proceed as best it can to get to the bottom of the ITT affair. But that is only a small part of what is at stake here. For what we are dealing with is a whole manner of governing that connects these various scandals one to the other. The connection is in the pattern of deceit and dissembling and concealment, in the quick instinct to shred the evidence and to silence

witnesses. The connection is in the misuse of campaign contributions and in the misconduct of the public's business for the profit of powerful private interests.

A year ago you could perhaps look at the ITT case as a revealing and alarming glimpse at what we called the Dismal Swamp of American Politics—as an isolated symptom of what it is that is eroding public confidence in that broad collection of public and private institutions which have come to be called The System. Today, it is more than ever apparent that this is the Nixon administration's particular swamp and that if it is ever going to be dealt with it is up to Congress to do the job.

We are not dealing here with isolated instances of unsavory conduct. Rather, we are confronted with evidence of impropriety, if not downright illegality, on a scale which makes it very nearly a standard operating procedure—a way of life. And we are confronted with an administration which, by its indifference and its disdain for even the most innocent inquiry, gives every indication of believing that this is actually the way the public's business is supposed to be done. It isn't, of course, and we would guess that it hasn't been on anything like this scale for a long, long time. And *that* is precisely why this state of affairs cannot be dealt with, in a way that will genuinely serve the public interest, by accommodation in the familiar spirit of politics as usual. It can only be dealt with, in our view, by a steadfast and unusual refusal to compromise on the part of those members of Congress who still seem to have some deep concern for the conduct of government and the quality of public life.